

LEON COUNTY

**GROWTH AND ENVIRONMENTAL MANAGEMENT  
DEVELOPMENT SERVICES**

**January 6, 2006, Development Review Committee Report**

**Project:** Fallschase Planned Unit Development (PUD) Concept Plan amendment and rezoning - (LSP- 050076)

**Applicant:** AIG Baker (Contact: Ronald Carlson; Andrew Lewis)

**Agents:** *Bob Apgar*  
*Greenberg & Taurig*  
*222-6891*  
*[apgarr@gtlaw.com](mailto:apgarr@gtlaw.com)*  
*Tom O'Steen*  
*Moore Bass Consulting, Inc.*  
*222-5678*  
*[tosteen@moorebass.com](mailto:tosteen@moorebass.com)*

**Parcel I.D.** Several; On File.

**Future Land Use Des'g.:** Mixed Use A (MUA), Mixed Use B (MUB), and Residential Preservation (RP)

**Current Zoning Districts:** PUD23 (Fallschase PUD) zoning district, R-2 single family detached residential zoning district, and, R-3 single family detached, attached two family residential zoning district

**Proposed Zoning District:** PUD23 (Fallschase PUD) zoning district (with amended concept plan)

**Subject Area Size:** 693 ± acres

**Location:** Generally described as south of and adjacent to US Highway 90; east of and adjacent to Weems Road; and northeast of and adjacent to the CSX railway where this railway crosses Lake Lafayette.

**Roadway Access & Functional Class:** The following points of access are proposed: Two along US 90 (a principal arterial), one along Weems Road (a minor collector) and, five along Buck Lake Road (a major collector)

**Maximum Proposed Gross Density/Intensity:** 1514 dwelling units over 459 acres (6.9 units per acre ±); 750,000 square feet of commercial floor area over 104 acres (7211.5 sq. ft. floor area/acre ±); and 35,000 square feet of office floor area over 104 acres (336.5 sq. ft. floor area/acre ±)

**Public or Private Infrastructure (streets/stormwater mgt.):** Not discernable from the application.

**Water/Sewer/Electric Utilities:** The concept plan proposes application to the City of Tallahassee Utilities for potable water, central sewer, and electric utility services. If these services are not available from the City, the plan proposes that the Fallschase Community Development District or another public or private utility provider serve the development.

**Approval Body:** Leon County Board of County Commissioners  
**Staff Planners:** Adam Antony Biblo, AICP, Interim Dev. Services Director  
Weldon Richardson, Planner II

**Project Summary:** The application consists of: 1) a proposal to amend the Official Zoning Map to rezone approximately 60 acres from the R-2 single family detached residential zoning district to the Fallschase Planned Unit Development zoning district (PUD23); 2) a proposal to amend the Official Zoning Map to rezone approximately 17 acres from the R-3 single family detached, attached two family residential zoning district to the PUD23 district; and, 3) the proposal to amend the existing PUD concept plan applicable to the approximately 616 acre PUD23 Fallschase Planned Unit Development zoning district (and which would apply to the lands being rezoned, if this application is approved). The proposed amendment to the PUD concept plan would allow development for as much as 750,000 square feet of commercial land use, 35,000 square feet of office land use, and 1,514 residential dwelling units within components dedicated primarily to residential use and an additional 1664 residential units that would be allowed on the upper floors of buildings with ground-floor commercial or office use within the proposed commercial mixed use component; in addition, the proposed concept plan also sets aside approximately 218 acres of land for open space. The application includes a proposed circulation system for the PUD district and proposed development and design standards for the PUD district. The location of the land included in this application is generally described as situated between US Highway 90 and Buck Lake Road on the north, Weems Road on the west, and Lake Lafayette on the south.

**Proprietary Application Review Process Pertaining to this Application:**

To the extent that the Development Agreement is applicable and in effect, the following process and schedule set out in Section 9.(c) of the Development Agreement, governs the DRC's review/approval process of this and all amendments to the PUD Concept Plan for the Fallschase DRI/PUD (paraphrased for brevity):

1. The applicant shall submit an application for amendment of the PUD Concept Plan in accordance with the requirements of the DA submittal checklist, as forth in Exhibit "C" of the DA.

*Note: the application was submitted on December 7, 2005*

2. Leon County staff will review the application and issue written response/comments within ten (10) working days of the receipt of this application.

*Note: Leon County DRC members provided their response and comments, at the DRC meeting of December 21, 2005, fulfilling this obligation.*

3. The applicant will submit a response to the County's response/comments within five (5) working days of receipt of the comments.

*Note: The applicant responded to the DRC's response and comments on December 21, 2005, fulfilling this obligation. This response is included as Attachment #1.*

4. The DRC will schedule the application for review and vote at the next regularly scheduled meeting, no less than ten (10) working days of the receipt of the Applicant's response. If deemed necessary, in the sole opinion of the DRC members, the DRC shall have the right to delay the vote due to incomplete information. If the vote is delayed, the DRC must issue written response/comments regarding the deficiency in the application within five (5) working days. The application will be rescheduled for a DRC vote when the applicant has submitted its response.

*Note: Consistent with this requirement, the DRC continued its meeting to consider this application to January 6, 2006. The DRC will render its recommendation at this meeting.*

**Growth and Environmental Management Department Responses/Comments:** Attached are the Department of Growth and Environmental Management's response and comments regarding the applicant's proposed rezoning and amendment the PUD concept plan for the PUD23 Fallschase Planned Unit Development zoning district. In addition to responses and comments directed at substantive issues, some of DGEM's comments are directed at ensuring that the PUD concept plan document, if adopted, is extremely "user-friendly" for staff, applicants for successive final site and development plans for properties included within the PUD, and the general public.

1. The application is subject to review pursuant to the process established in §9.(c)(1)-(6) of the Fallschase DRI DA (hereafter, "DA"). The comments provided herein constitute a written response to the applicant's submittal of an application to the PUD Concept Plan for Fallschase DRI/PUD (hereafter, "PUD"), as required by §9.(c)(2) of the DA.
2. The Table of Contents (TOC) in the PUD shall be revised to reflect revisions and the inclusion of additional material from the DA within the PUD (per DGEM and other staff recommendations). The TOC should provide page numbers for the sections/headers cited.
3. The PUD should be revised to include an index.
4. The PUD should be revised to include those provisions listed within Attachment #2, either through explicit incorporation within the DA or through cross-reference. Many of these provisions list proprietary standards, objectives, processes, actions/implementation commitments (with "triggering milestones"), and exceptions/waivers applicable to the PUD and/or the developer. A complete list of provisions staff recommends be included in the PUD are included as Attachment #1.
5. Pursuant to §10-915(b)(3), Leon County Land Development Code, *PUD zoning district requirements and procedures; Eligibility; Unified control/ownership*: All land included for the purpose of development within a PUD district shall be owned by or be under the complete control of the applicant for such zoning designation, whether the applicant be an individual, partnership, corporation, other entity, group, or agency. The applicant shall provide the county with all of the necessary documents and information that may be required by the county attorney to assure the county that the development project may be lawfully completed according to the plans sought to be approved.

The PUD application shall be revised to include proof of ownership (including, signatures the current owner(s) of the property included in the PUD application attesting to their ownership and their filing of this application (or the filing of this application on their behalf, by others)).

6. Pursuant to §10-915(b)(3), Leon County Land Development Code, the PUD application should be revised to include affidavit(s) from the current owner(s) of the property included in the PUD attesting to their authorization of others to represent their interests in this application.
7. The PUD application should be revised to include a summary describing the development proposed to be allowed within the PUD district (a project summary, in narrative form).
8. The PUD application should be revised to include revised PUD definitions, provided by the applicant under separate cover on or about December 7, 2005.
9. The PUD shall be revised to state who/what entity(ies) will responsible for construction, ownership, and maintenance of streets and stormwater facilities to be provided to serve the PUD.
10. The PUD includes an added property map. Staff recommends the following revisions with regard to this map: 1) For the two added properties label, or indicate through the legend, the various rezonings embodied (i.e., R-2 to PUD; and, R-3 to PUD); 2) Illustrate the "excluded" properties (with appropriate annotation explaining that the amended PUD will apply to the excluded properties upon their purchase by the applicant or successors); 3) Rename the map, accordingly. As an alternative to steps #1 and #2, provide a map of excluded properties.
11. The Conceptual Land Use Plan (and other Plans & maps in the PUD document) shall be revised to delete the background shadow layout image. Alternatively, this image shall be made legible, as it will be binding as to the form of development depicted thereupon. An additional alternative, if the applicant desires to keep such illustration but not be bound to it, is to provide a separate map, with appropriate annotation regarding applicability.
12. The Conceptual Land Use Plan shall be revised to reconcile the nomenclature used on this plan and within the PUD text (to obtain consistency).
13. The table summarizing the land use type and development proposed to be allowed in each component/district/subdistrict should be revised to clearly specify the range of minimum and maximum residential density and/or non-residential intensity (in square feet floor space/acre) allowed in each component.
14. The PUD shall be revised to include an explicit development standard governing the maximum limit of residential units allowed within the PUD. The ability to develop 16 residential du/ac in the FC-CM component must be reconciled with other references in the PUD and DA to a maximum number of 1514 dwelling units within the entire PUD. Accordingly, the PUD shall be revised to include a mechanism or standard that reduces the number of residential allowed within the FC-SF & FC-MF components for every dwelling unit developed elsewhere in the PUD (and the converse).
15. Both the FC-SF and the FC-MR (also referred to as FC-MF?) components shall be revised to include as a standard, that the total maximum number of residential dwelling units allowed in either one these components shall not exceed 757.
16. Maps in the PUD should be revised to recognize the removal of the SCL Railroad and its replacement with the CSX Railroad.

17. The PUD application does not provide sufficient information regarding utilities infrastructure to serve the PUD, nor affirmation from any utility provider of their willingness and ability to serve the proposed development. The PUD concept plan document shall be revised to include documentation of proposed utility providers' willingness and ability to serve the proposed development; alternatively, this obligation may be addressed by the DRC through the recommendation that this accomplishment be a condition of PUD concept plan approval. In addition, annotation should be included in the PUD concept plan regarding the proposed disposition of the existing utility system, preferably as a "standard" within the text, corresponding to the information provided in part 1 within the letter from Carlson to Peck and Wells, dated November 22, 2005. See also: "k)" in Attachment #2; Attachment #3, Aquifer Protection Office Comments; and Attachment #4, City of Tallahassee Utilities Comments.
18. Staff recommends that the conceptual circulation plan to be revised to include annotation providing for the ability to allow, at the stage of final site and development plan application, additional cross-access connections to other properties, in particular, bicycle and pedestrian connections, so long as such connections would not violate any provision of the DA or neighborhood agreement incorporated within the DA.
19. Staff recommends that the conceptual circulation plan and text of the PUD concept plan document be revised to include annotation providing for the accommodation of service by transit (in particular, bus service), including the acknowledgement that streets and parking lots may require design adjustments during final site and development plan application to provide for bus pull-offs; transit and school bus stops; and related facilities. The PUD should be revised to specify that all transit bus stops provided within the PUD will be on a concrete or other impervious pad and will be covered (so as to protect persons waiting from the rain).
20. Proposed street sections included in the PUD concept plan document may require revision, consistent with comments provided by the Department of Public Works.
21. In regard to "Archaeological/Historical Resources" in the PUD concept plan document: staff recommends that the PUD stipulate that a clearance letter (or other appropriate instrument) will be sought and obtained for affected areas within the PUD prior to the issuance of any site and development plan approval for such areas.
22. In regard to "Listed Species" in the PUD concept plan document: staff strongly recommends that this section stand on its own; i.e., it should not be a sub-section under "Archaeological/Historical Resources."
23. In regard to "Height Requirements and Zero Lot Lines" in the PUD concept plan document: staff strongly recommends that this section be split into two sections, one regarding height requirements and the other, setbacks (and each be titled appropriately).
24. In "Height Requirements" in the PUD concept plan document, where *stories* are used, it may be useful to stipulate the limit in *maximum* stories.
25. In regard to "Commercial Lighting" in the PUD concept plan document: delete "See International Dark-Sky Association at ..." Specific information provided at that web site should either be explicitly set out in the PUD or appropriately cross-referenced.
26. The "Residential Lighting" section in the PUD concept plan document uses the following terms which require definition: "Low wattage;" and "Low lumen."
27. The PUD concept plan document uses both "FC-MR" and "FC-MF" to refer to the same component; this inconsistency requires reconciliation.

28. The PUD should be revised to include a "standard" or obligation, specifying that AIG-Baker and the County will work together to fashion architectural/design standards governing the FC-MR district and non-residential development within the PUD; that these standards will be completed after the PUD adoption, but prior to application (or at least, approval) of any site and development plan for the PUD; that these standards shall be approved by AIG-Baker and the Board; and, that these standards be based on the DA and attached exhibits.
29. The PUD should be revised to include milestones, a timeline, or other mechanism(s) to determine when transportation-related obligations of AIG-Baker, set out in the DA, will be commenced (and completed). The Department of Growth and Environmental Management defers to the Department of Public Works on this matter.
30. To reduce the potential for ambiguities and to facilitate reconciliation of outstanding issues not addressed within the PUD Concept Plan, the PUD concept plan document should be revised to include a "standard" stipulating that the DA is the "default standard" for purposes of interpretation and application.
31. Section 10-915(e), Leon County Land Development Code, sets out the review criteria for Planned unit development (PUD) zoning districts. As the adoption of a PUD district (new districts and amended districts) is a form of Official Zoning Map amendment, DGEM defers the evaluation of these criteria to the Tallahassee-Leon County Planning Department.
32. The Leon County Department of Growth and Environmental Management, Environmental Compliance Division provided three comments, included as Attachment #5, regarding additional information that should be incorporated within the PUD concept plan or submitted and approved by staff prior to submittal of application for the PUD final plan for the first phase of the PUD.
33. The Leon County Schools have reviewed the proposed rezoning and amendment the PUD concept plan and noted that it will have critical impact to the Leon County Schools; that the schools presently zoned to serve the Fallschase site, W.T. Moore Elementary, Swift Creek Middle, and Lincoln High schools are at or above capacity and will not be able to serve the projected number of students from this proposal. The Leon County Schools' comments are included as Attachment #6.

#### **RECOMMENDATION:**

Based on the responses and comments provided above, the Department of Growth and Environmental Management recommends that the DRC recommend that the Board of County Commissioners adopt the ordinance implementing and approving this application, subject to revision to address the responses and comments cited above, as well as those presented by other DRC members.

#### **Attachments:**

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|--------------|--|
| Attachment 1 | Applicant's response to the DRC's response and comments of December 21, 2005                                 |
| Attachment 2 | List of provisions from DA recommended for inclusion within the PUD  |
| Attachment 3 | Aquifer Protection Office Comments   |
| Attachment 4 | City of Tallahassee Utilities Comments   |
| Attachment 5 | Leon County Department of Growth and Environmental Management,<br>Environmental Compliance Division Comments |
| Attachment 6 | Leon County Schools Comments   |

cc: Tom O'Steen, Moore Bass Consulting, Agent  
Parwez Alam, County Administrator  
Herbert W. A. Thiele, County Attorney  
Laura Youmans, Assistant County Attorney  
Tony Park, Director, Department of Public Works  
Wayne Tedder, Director, TLCPD  
Roxanne Manning, Chief Land Use/Current Planning Division, TLCPD  
Michael Lindert, Aquifer Protection Office  
David McDevitt, Director, Department of Growth and Environmental Management  
John Kraynak, Director, Environmental Services, DGEM  
Nawfal Ezzagaghi, Environmental Services Administrator, DGEM

Attachment # 5  
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Land Use Planning • Engineering Design • Environmental Permitting • Landscape Architecture • Surveying

December 21, 2005

Mr. David McDevitt  
Director of Development Services  
Leon County Growth and Environmental Management  
3401 Tharpe Street  
Tallahassee, Florida 32301

**Re: Fallschase PUD**

Dear Mr. McDevitt:

On behalf of our client, AIG-Baker LLC, Moore Bass Consulting, Inc. (MBC) has reviewed the comments provided by the Leon County Growth and Environmental Management and other Development Review Committee (DRC) members in response to the Fallschase PUD Concept Plan amendment and rezoning application submitted on December 7, 2005.

MBC would like to note the following in response to the comments provided by the Leon County Growth and Environmental Management and the other DRC members.

It is the intention of our client to address the issues raised in these comments, subsequent to the DRC's final action and prior to submittal to the Leon County Board of County Commissioners, either through revisions to the Fallschase PUD Concept Plan amendment and rezoning application or through response/rebuttal, indicating why it is our position that the information provided is sufficient (and that further revision is not necessary). Based on our meeting with the Leon County Growth and Environmental Management staff on Friday, December 16, 2005, to review preliminary draft comments, MBC believes we will be able to address most if not all of the comments through minor revisions to the application.

Pursuant to the review schedule set out in the Development Agreement, MBC understands that the Leon County Growth and Environmental Management and other DRC members will formally provide comments at the December 21, 2005 meeting.



## Attachment #2

### List of provisions from DA recommended for inclusion within the PUD

The following sections of the DA are recommended to be included within PUD, either within the "main body" or cross-referenced within the body and attached as exhibits:


- a) Section 3, last sentence, regarding applicability to "excluded properties."
- b) Section 6, in its entirety or subsections (1)-(3), regarding the applicant's rights to use of the Southern Property after conveyance to the County.
- c) Section 7, subsections (c) and (d), regarding relocation and alteration of stormwater management facilities, as portrayed on the PUD Concept Plan; and, the use of lakefront lots to accommodate compensating volume for floodplain storage, respectively.
- d) Section 8, in its entirety, regarding donation of property for County facilities.
- e) Section 9, in its entirety, regarding the PUD approval process for this property.
- f) Section 10, in its entirety, regarding the approval process for PUD final development plans.
- g) Section 11, in its entirety, regarding the process for obtaining an Environmental Management Permit for development within the PUD.
- h) Section 13, in its entirety, plus, Exhibit "E," regarding waivers and exemptions.
- i) Section 14, a list of transportation, stormwater management, and other capital improvements that, through the approval of the DA, the applicant has committed to provide. This list should be supplemented with the information requested in Response/Comment #29.
- j) Section 16, in its entirety, regarding the preclusion of road connection to Weems Plantation and Meadow Hills.
- k) Section 17, in its entirety, regarding the utility infrastructure and service provider for the PUD.

# BOARD OF COUNTY COMMISSIONERS

## MEMORANDUM

**DATE:** December 15, 2005

**TO:** Tony Biblo, Development Services Administrator

**FROM:** John Kraynak,  Director of Environmental Compliance

**SUBJECT:** Comments on the Fallschase Conceptual PUD

Environmental Compliance staff reviewed the Fallschase PUD application dated December 7, 2005 and have the following comments:

1. The application did not include the existing natural features for the entire Fallschase development as required in Item 7 of Exhibit "C" of the approved development agreement. The natural features were only provided for the newly added 17.5 acre and 60 acre tracts. If the applicant is unable to provide this required information in a timely matter for staff review and approval, these features must be submitted and approved by staff before submittal of the final PUD site plan application for the first phase.
  2. Staff received a marked up version of the proposed definition changes on December 14, 2005, but it appears that these changes were not included in the PUD application. Staff did not have any changes to the marked up version of the proposed definitions. The revised definitions should be provided for the final PUD document.
  3. The Appendix has a place holder in the application for the final signed 163 agreement. The final agreement with all the exhibits should be included in the final document.
- cc: David McDevitt  
Nawfal Ezzagaghi



# MEMORANDUM

*Tallahassee-Leon County  
Planning Department*

**TO:** Tony Biblo, Weldon Richardson, Leon County Department of Community Development  
**FROM:** Russell Snyder, Senior Planner  
Tallahassee-Leon County Planning Department  
**THROUGH:** Roxanne Manning, Land Use Division Supervisor  
Tallahassee-Leon County Planning Department  
**DATE:** December 16, 2005  
**SUBJECT:** Amendment to Fallschase PUD – December 21, 2005 DRC Meeting

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**APPLICANT :** AIG Baker  
**AGENT:** Moore Bass Consulting, Inc.  
**PARCEL ID:** 11-26-40- A-0010 thru 0040, 11-26-40- B-0010, 11-26-40- C-0010, 11-26-40- D-0010, 11-26-40- E-0010, 11-26-40- F-0010 thru 0050, 11-26-40- G-0010, 11-26-40- H-0010 thru 0060, 11-26-40- I-0010, 11-26-40- J-0010 thru 0030, 11-26-40- K-0010 thru 0080, 11-26-40- L-0010, 11-26-40- M-0010 thru 0040, 11-26-20-006-0000, 11-27-20-002, 003, 004, 008, 009 & 016-0010  
**ZONING:** R-2 Single-Family Detached Residential; R-3 Single- and Two-Family Residential; and PUD23 (Fallschase)  
**FUTURE LAND USE:** Mixed Use A, Mixed Use B, Residential Preservation

**Findings:**

1) The application consists of:

- a) a proposal to amend the Official Zoning Map to rezone approximately 60 acres from the R-2 single family detached residential zoning district to the Fallschase Planned Unit Development zoning district (PUD23);
- b) a proposal to amend the Official Zoning Map to rezone approximately 17 acres from the R-3 single family detached, attached two family residential zoning district to the PUD23 district; and,
- c) a proposal to amend the existing PUD concept plan that applies to the approximately 616-acre PUD23 Fallschase Planned Unit Development zoning district (and would apply to the above lands being rezoned, if this application is approved).

- 2) The proposed amendment to the PUD concept plan is for purposes of implementing the "Fallschase DRI Development Agreement" (hereinafter referred to as the "DA") executed between Leon County and AIG-Baker Tallahassee, LLC on December 6, 2005, which would allow development for as much as 750,000 square feet of commercial land use, 35,000 square feet of office land use, and 1,514 residential dwelling units. In addition, the proposed concept plan sets aside approximately 218 acres of land for open space and includes a proposed circulation system for the PUD district and proposed development and design standards applicable to the PUD district.
- 3) The Board of County Commissioners approved the DA at its December 6, 2005 meeting. The DA states that, "[T]he Fallschase DRI/PUD, is vested from consistency with the Tallahassee-Leon County 2010 Comprehensive Plan and many of the current County LDRs, and is vested from the concurrency requirements of the County's 2010 Comprehensive Plan and LDRs because it was approved as a DRI prior to the adoption of the comprehensive plan and LDRs." The DA states further that, "[N]otwithstanding such vesting, the density, intensity, uses, and all other terms and conditions of development as set forth in this Agreement are consistent with the Leon County Comprehensive Plan and LDRs, to the extent that such Plan and LDRs are or may be applicable."
- 4) The approved DA also establishes a specific process for this application/project that is to be utilized in lieu of the requirements pertaining to review criteria, eligibility requirements, and review process and submittal requirements for the Planned Unit Development zoning district as set out in §10-915, Leon County Land Development Code.
- 5) In light of the vested development rights established by the DA, which exclude the project from the Comprehensive Plan and many of the land development regulations, and determine that the proposed development is consistent with same regardless, further similar review by the Planning Department would be redundant.

#### **Preferred Design Alternatives**

The Department recommends that the project include neighborhood interconnections where possible in order to reduce transportation impacts to collector and arterial roadways. Also, the Department recommends utilization of bicycle/pedestrian access to the proposed open space area(s).

#### **Deviations from Development Standards:**

Not applicable.

#### **Recommendation**


The Planning Department finds that the development proposal is consistent with the procedural and substantive provisions of the above-referenced Fallschase DRI/PUD Development Agreement.

# ***Board of County Commissioners***

## **INTEROFFICE MEMORANDUM**

**DATE:** January 6, 2006

**TO:** Development Review Committee

**FROM:**  Joseph L. Brown, III, P.E., Director of Engineering Services

**SUBJECT:** Fallschase Development – PUD Amendment  
January 6, 2006 Development Review Committee Meeting

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At the December 21, 2005 meeting of the Development Review Committee, Public Works Staff presented comments regarding the proposed PUD Amendment. There being no further submittals by the applicant for staff review, those comments remain as follows:

1. Definitions Section. The applicant's representatives have advised that these definitions were taken from County Code and some definitions were modified. As the number of definitions is extensive, identifying the modifications would be difficult to accomplish in the timeframe available.

**Staff requests that the applicant provide a list of actual modifications or a strike through/underline copy of the changes so that they can be identified for review.**

2. Location Maps. The Location Maps do not correctly identify the property in question. On the 1"=5000' map, the red shading is offset from the property. On the 1"=2000' map, the boundary of the overall property is not indicated, only the two parcels being added.

**Map should be corrected.**

3. Conceptual Master Plan. Conceptual Land Use Plan. One area is identified as FC-CC, which is not explained in the legend. Applicant representatives advise that this is a scrivener's error, and the property should be shown to be FC-MF. The land use identified as FC-OS occurs twice in the legend with different color identifiers. Staff recommends that these two have different identifying legends, such as FC-IOS and FC-LOS. Staff is not sure that Note 1, which indicates that configuration of land uses may change at the time of Final PUD submittal is appropriate.

**Map should be modified accordingly.**

4. Conceptual Master Plan. Conceptual Stormwater Master Plan. Applicant has, in the 163 Agreement, committed to the treatment of stormwater from the segment of Buck Lake Road that they are to reconstruct. There is no indication in this plan of how that will be accomplished. Although Buck Lake Road is not a part of the PUD, development of stormwater handling facilities may impact the PUD layout.

**Plan should address the Buck Lake Road stormwater source.**

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5. Conceptual Master Plan. Conceptual Utility Plan. Is this plan necessary as a part of the PUD Amendment? Plan is too detailed based on the generic information normally provided in a PUD application. Plan shows existing utilities in locations where it is reasonable to expect that they will not be needed, but plan does not identify utilities that will be removed. Applicant has advised that sewer manholes in the Lake bottom will be modified or removed, but that information is not reflected on this plan. If a Conceptual Utility Plan is to be shown, it should be based on the Land Use Map, not the open property map. Staff is not sure that Note 1, which indicates that configuration of utilities may change at the time of Final PUD submittal is appropriate.

**Plan should be deleted or modified.**

6. Conceptual Master Plan. Conceptual Circulation Plan. Plan presentation of existing circulation is not correct (current connection to Buck Lake Road is not as shown and existing roadway extends beyond southern terminus shown).

Applicant representatives have advised that the pedestrian circulation plan also include bike access (shared use pathways), but plan does not indicate this.

Main Circulation Paths suggest that most of the traffic accessing the Retail/Commercial area will use one connection to Mahan. Signalized intersections at Buck Lake Road will be secondary, while un-signalized accesses to Buck Lake Road (including right-in, right-out access) will carry the Main traffic load. Plan does not appear to be in agreement with proposed/anticipated traffic controls.

Note states that "connections to existing public roads will be subject COT, Leon County", but does not say "what". It appears the intent is that these connections will be subject to COT, Leon County and FDOT approvals, but does not say so.

Signalization plans are not indicated.

Staff is not sure that the Note statement which indicates that configuration of roads may change at the time of Final PUD submittal is appropriate.

**Plan should be corrected and circulation plan modified.**

7. Conceptual Master Plan. Local Street Section. The proposed section conforms with Leon County requirements for a curb and gutter section at 45' in width with the exception that 10' utility easements should be added on each side to accommodate utility placement. It should be noted that placement of this typical section in the PUD Amendment without disclaimer will make it mandatory that this typical section be used or another PUD Amendment may be required.

**Add 10' Utility Easements adjacent to each side of the proposed Local Street Section.**

8. Conceptual Master Plan. Collector Street Section Collector streets are not shown on the Circulation Plan and staff is not certain if this proposed typical section applies to Main or Secondary roads. Section does not include Bike Paths. Applicant representatives advise that Applicant proposes to provide for bike circulation as a part of its pedestrian circulation plan, which is off-street. This typical section should have a note to that effect, otherwise it appears to be deficient. It should be noted that placement of this typical section in the PUD Amendment without disclaimer will make it mandatory that this typical section be used or another PUD Amendment may be required.

**Typical section should be identified as Main and/or Secondary Roads and address Bike Paths.**

9. Conceptual Master Plan. Boulevard Section. Boulevard streets are not shown on the Circulation Plan and staff is not certain if this proposed typical section applies to Main or Secondary roads. Section does not include Bike Paths. Applicant representatives advise that Applicant proposes to provide for bike circulation as a part of its pedestrian circulation plan, which is off-street. This typical section should have a note to that effect, otherwise it appears to be deficient. It should be noted that placement of this typical section in the PUD Amendment without disclaimer will make it mandatory that this typical section be used or another PUD Amendment may be required.

**Typical section should be identified as Main and/or Secondary Roads and address Bike Paths.**

10. Conceptual Master Plan. General Comment. Most of the maps used in this section show detailed development plans originally presented in the 163 Agreement in a greyed out mode. However, these detailed development plans, including lots, buildings, landscaping, etc., are easily visible and defined. Applicant should consider removing this amount of detail from PUD consideration at this time, as it may result in constraints for development that could require additional PUD Amendments.

**Greyed out detail plans should be removed from background of Conceptual Plan Maps.**

11. Design Standards. Design Standards do not address roadway or stormwater management facility design. There is an opportunity here to confirm that connections to existing public roads will conform to the design standards and require approval from the agencies having regulatory authority over those roads (COT, Leon County, FDOT). Typical sections and other presentation materials suggest that roads, and probably stormwater facilities, will be heavily landscaped. This landscaping should conform to proper roadway design for safety and also for proper coordination with utility placement. At the same time, there is an opportunity for credits for trees that must be removed by replanting in roadway rights of way and around stormwater facilities.

**Applicant may want to include references to roadway and stormwater facility construction in the design Standards.**

12. Existing Site Conditions Maps. The property description for Fallschase no longer includes the Excepted Properties that were in the 163 Agreement description. There are a series of maps highlighting various parcels within the Fallschase property for which there is no explanation or discussion of the purpose of these maps. Following those maps are a series of Legal descriptions for individual lots and tracts within the Fallschase boundary, and there is, again, no discussion of the purpose of these descriptions, either that they are exceptions, or have been acquired. It should be noted that the maps and descriptions are the same properties that were formerly shown as Excepted Properties, less the ones in the Commercial area (northwest area) that Applicant has advised that they have acquired.

In other words, the property description no longer makes reference to Excepted Properties, but includes descriptions of most of the Excepted Properties without explanation. The actual legal description of the property subject to this PUD Amendment review is not clearly presented, but it is presumed that the intent is to show the parent parcel and the Excepted Properties, although it is not clearly stated that that is the case.

**Can this PUD Amendment include properties not owned by the Applicant?**

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Also, During the meeting, Public Works staff provided additional verbal comments. The following is to provide written confirmation of those comments:

A. Existing Utility Franchises. The bulk of the property to be included in this PUD are currently encumbered by water and sewer franchises granted by Leon County to the Fallschase developers. As these franchises remain in full force and effect, it will be necessary for Leon County to revoke those franchises and grant new franchises to the utility provider selected to provide this service. It should be further noted that some of the properties located within the proposed PUD (primarily the added properties) are not included within the Fallschase franchises and, as a result of the recent Water and Sewer Agreement between the City and County, those properties are now franchised for water and sewer to the City of Tallahassee. Accordingly, if the Fallschase developers intend to serve those properties, the franchise issue between the developers and the City must be resolved. Finally, it should be noted that it is common practice for utility providers to withhold any commitment to serve a property until it is free of any franchise to another utility provider.

**The franchise issue is probably not a significant issue to this development, but the PUD should address how it will handle the matter.**

B. 163 Agreement Replacement Maps. The 163 Agreement provides that the maps contained in that document will be replaced with the maps approved as a part of the PUD review and approval. The 163 Agreement contains one base map summarizing the various development proposals. The PUD documents contain a series of maps, some of which may be intended to substitute for the 163 Agreement maps, some may not.

**The PUD should clearly identify the maps that are to be considered replacements for the 163 Agreement maps.**

C. Time of Construction. The PUD and the 163 Agreement provide for significant infrastructure construction by the applicant, including Buck Lake Road. There is no commitment by the applicant as to the timing of this work.

**The PUD should stipulate some time period for the construction.**

cc: Tony Park P.E., Director of Public Works  
Kimberly Wood, P.E., Chief of Engineering Coordination